

The Sydney Morning Herald.

NO. 18,144.

SYDNEY, TUESDAY, MAY 18, 1880.

PRICE 2d.

Births.

ANDERSON.—May 17, at her residence, Cavendish-street, South Kensington, the wife of D. Anderson, of a daughter.

DEAHAM.—May 8, at Telegraph Station, Newmattie, Mrs. D. M. Graham, widow of D. M. Graham, of a daughter.

DEAN.—May 8, at her residence, Gisbe Point, the wife of J. G. Lidge, of a daughter.

LAHEY.—May 15, Surbun Cottage, Burwood, Balmain West, Mrs. G. D. Light, of a son.

LORENZ.—May 15, at her residence, Parkes, the wife of Walter Lorenz, of a son.

MUNN.—April 15, at Courthill, Merimbula, Mrs. A. L. Munn, of a son.

MURRAY.—April 15, at her residence, Pleasant Villa, Glenmore Paddington, Mrs. J. Murray, of a daughter.

SMITH.—May 15, at her residence, Mort-street, Balmain, the wife of J. Smith, of a daughter.

Marriages.

HETHERINGTON-ROSS.—May 15, at the residence of the bride's parents, by the Rev. A. Cameron, Marion Hyde Fletcher, daughter of G. Fletcher, in Cheltenham, and G. A. Hetherington, son of G. Fletcher, and Margaret, elder daughter of John Ross, Esq., J.P., of Balashe, near Glen Innes.

GARNER-GIBBS.—April 17, at Singleton, by Rev. J. Davis, Hugh, younger son of John and Mary, of Glen Innes, to Louise, daughter of Thomas G. Gibbs, of Gloucester.

MCLELLAN-CHARLWOOD.—May 11, by the Rev. Mr. King, of St. Michael's Church, Botany-street, Surry Hills, Thomas Joseph, eldest son of the late Frederick Ross, bookseller, to Phoebe Ann, daughter of Harry and Lydia Charlwood, of Joliette-street, Hornsby.

Deaths.

ALEXANDER.—May 14, at her parents' residence, Moorsman's Bay Hotel, Moorsman's Bay, Alice Maud, the infant daughter of Edith and Lucy Alexander, aged 8 weeks and 4 days. "And Jesus said, suffer little children to come unto me, and forbade them to depart from me."—*Epitaph.*

CHETHAM.—May 15, at St. John's Parochial, Parramatta, Edith Gwendolyn, daughter of Canon Gunther.

FOSSON.—February 23, at her residence, No. 8, Priory-terrace, Homebush, Beatrice, widow of Baden, Linchonshire, and sister of Mrs. W. Copley, 461, Pitt-street South, and Mrs. R. Bellings, Woolloomooloo Bay.

HORN.—May 15, at his residence, Lord-street, Newtown, a man of a long and useful life, Thomas Horn, leaving a loving wife and one child to mourn his loss. *Epitaph in pace.*

WEATHER.—May 8, at her parents' residence, Alfred Horn, Queen's-street, Surry Hills, Mrs. Horn, beloved daughter of Richard and Fanny Seymour Horn, late of Kickerill, Liverpool Plains, Country paper, please copy.

Shipping.

PACIFIC MAIL S.S. COMPANY.

OVERLAND ROUTE TO GREAT BRITAIN THROUGH AMERICA.

Under Contract with New South Wales and New Zealand Governments.

CITY OF SYDNEY.

H. C. DEARHORN, Commander, will be dispatched on THURSDAY, 20th May, carrying her Majesty's Mail and General Correspondence to AUCKLAND, HONOLULU, and SAN FRANCISCO.

Passengers booked from Sydney to Liverpool, London, Paris, and Paris, will be accommodated in the ship, and in connection with the American and European routes, and with the untried steamship of the White Star, Inman, and Cunard lines from America to Liverpool.

PAGE—FIRST CLASS, FROM 25s.

Passengers can break the journey, and stop over from one to six months in America, Honolulu, or at any of the American cities of San Francisco, and San Francisco, issuing by the under-mentioned.

For rates of passage and freight, and all other information, apply to GILCHRIST, WATT, and CO., General Agents.

TEAM TO AUCKLAND.

CITY OF SYDNEY.

2000-ton, H.C. Dearhorn, commander, will leave on THURSDAY, May 20, at 8 p.m.

Passenger tickets from Sydney to Liverpool, London, Paris, and Paris, will be accommodated in the ship, and in connection with the American and European routes, and with the untried steamship of the White Star, Inman, and Cunard lines from America to Liverpool.

GILCHRIST, WATT, and CO.

PENINSULAR AND ORIENTAL STEAM NAVIGATION COMPANY.

The Company's steamships (under contract with the Victorian Government for the conveyance of H. M. Mail) will be dispatched from Sydney as under for CECILY, sailing at MELBOURNE, GLENELG, and KING GEORGE'S BAY.

HENRY MOORE, Agent.

STEAMER—MALWA.

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which is directly opposed to the most cherished notions of a people like our own. There is hardly a disinterested person in the country who would contend that a licensed publican has a moral right to use his licensed premises for any vicious or immoral purpose, and then to compel the COLONIAL TREASURER to grant him the permission to do as he pleases; and, according to the judgment which Mr. WINDEYER repeated and which Sir WILLIAM MANNING endorsed last week, he has not, even in the present state of the law, the legal right.

If this judgment be a correct one, the doctrine of once a publican always a publican will have to be given up. The two Judges named have given it as their opinion that the holder of a license has a right to claim a renewal when no objection has been raised, but that the raising of a valid objection destroys his claim. "The holder of a license for one year," says Mr. WINDEYER, "has, in my opinion, no legal right to the renewal of his license except in cases where there has been no complaint or objection made against him, though no holder of a license is bound to attend the annual licensing meeting unless summoned to answer a complaint or objection. On such complaint or objection being made, however, the holder is bound to appear at such annual meeting, and his right to the renewal of his license then depends on his satisfying the justices as to the matter of such objection or complaint; and the objection that the justices had no power to recommend the refusal of the license appears to me to be of no weight, they having the power to grant or withhold their certificate, or to recommend the renewal or refusal to renew a license." This view of the rights of the magistrate to refuse renewals on other grounds than those of a conviction of felony and the abandonment of licensed premises is founded on the 58th section of the Act. The 51st clause, which states that any complaint against the holder of a license must be that such holder has been convicted of felony, or of abandoning his licensed house as his usual place of residence, simply provides (says Mr. WINDEYER) for the immediate forfeiture of a license while in full force when the holder is convicted, and has no bearing upon the right of renewal at the expiration of the license. The 58th clause is held to contemplate the non-renewal of a license from other causes than those which have operated in an immediate forfeiture during the currency of the license. The 58th clause of the Act provides that if no complaint or objection be made, a license shall be renewed annually. It also provides "that no licensed publican shall be required to attend at any annual licensing meeting or any other meeting, unless required by summons to do so, for the purpose of answering any complaint or objection made against him." It is clear from this that the framers of the Act contemplated other objections than those named in the 51st clause, and that the lodging of a complaint or objection may determine whether a license shall be renewed or not. The interpretation of clauses of this description is in the business of lawyers, and on this as well as a good many other provisions of the Licensing Act lawyers have greatly differed. It is satisfactory to know that the opinion of Sir WILLIAM MANNING and Mr. Justice WINDEYER are shared by other legal authorities. If this opinion be a sound one, the objection that the magistrates have under the existing Act no power to refuse licenses cannot be sustained.

The point, however, is one about which there ought to be no room for cavil. The one thing which a Licensing Act should state with a clearness which left no room for differences of opinion is the thing which the existing Act has made a matter for disputes, which have created no end of bitterness, and have consumed a large amount of time which might have been spent to a more useful purpose. We may hardly indulge the hope that the judgment which was pronounced last week will set the matter at rest. Nothing will do this but a new Act of Parliament. But whether Mr. WINDEYER has told us what the law really is or not, he has certainly told us what it ought to be. It cannot be creditable to us as a community that there should be the semblance of a ground for the plea that to refuse a license to a publican who has used his licensed premises for the worst of purposes is to disturb the legal relations between a landlord and a tenant, and to violate the rights of property.

The construction of the St. Gotthard tunnel is another triumph of modern engineering. It is, of course, only an imitation of what has been done at Mont Cenis, and, so far as engineering credit is concerned, it is in no way eclipses the merit of the skillful and daring men who carried out the prior undertaking. Although the second tunnel is longer than the first, it has really been far the easier to make, because the constructors had inherited all the experience and the use of all the skilled apparatus of their predecessors. The French Emperor's boast, "There are no longer any Alps," is now, what it was then, a realized fact. The great roads that his impious and Imperial will constructed were marvels in their day, and those who have travelled by them retain for life the impression of the grand scenery through which they pass. Now the roads will only be for tourists, and will perhaps fall into disrepair. But this annihilation of the Alps is carried out for quite other objects than those which the conquering Emperor had in view. His were military roads; the railroads will be roads of peace. In fact they are scarcely available for military purposes because they could be so easily blocked. A tunnel can be as completely made a barrier to a train as the portcullis of an old castle was to a spear-armed warrior. These Alpine tunnels will serve the cause of peace and of commerce, and they will make people still further understand how great are the mutual advantages of free trade. So far as hostile tariffs will permit of interchange, the tunnels will develop it; and though engineering works will not calm men's passions, or root out men's prejudices, they will furnish to the philosopher and the statesman abounding arguments to show how much those passions and those prejudices stand in the way of human progress.

According to the German Imperial Constitution of 1871, the two cities of Hamburg and Bremen are free ports, and are to remain "outside the common line of Customs until they themselves demand admittance." In arranging his new Zollverein, Prince BISMARCK would like to get rid of that concession, and bring the whole Empire under one Customs league. It is easy to understand the reasons for that wish. The foreign trade of Germany is principally conducted by the free ports, whose policy is a reproach to the Zollverein itself. The policy which their prosperity suggests is to open the other ports, instead of closing Hamburg and Bremen. That is a course for which German statesmen do not appear to be yet prepared, and in that respect they are a long way behind the leading statesmen of France. So far as England may be affected by any increased restrictions upon her German trade, she has not

much to fear, because that trade has never been very great. She takes from Germany chiefly breadstuffs, meat, sugar, timber, and other raw materials, such as her own colonies are beginning to supply in larger quantities and of better quality. She sends to Germany, in return, chiefly cotton, woolen, and from manufactures, and coal, for which there is an increasing demand among her own subjects abroad. Thus Germany must pay the penalty of her own exclusiveness, in dearer produce for her own people, if the Chancellor's policy should prevail. The total tonnage of vessels inwards and outwards with cargoes trading between British ports and Germany last year was 4,015,064, of which 2,579,605 tons were British, 1,198,550 German, and 236,849 of other nationalities. The German vessels are owned almost wholly by the free ports of Hamburg and Bremen, which are now threatened with deprivation of their privileges. Situate at the mouths of the Elbe and the Weser, these ports must always be the chief outlets of German trade, unless the policy of "blood and iron" should eventually demand the swallowing up of Holland also, in order to secure a sufficient seaborne for the great inland Empire. For the sake of the unification of the Fatherland some of the German States have already suffered much, and if it were impelled they would probably be ready to suffer still more; but they may not unreasonably ask how the ruin of their commerce can contribute to the unity of the Empire, and beg that they may not be called upon to make such a sacrifice for an exploded mercantile theory.

NEWS OF THE DAY.

THE other day a cable message informed us that the Albanians had unanimously taken up arms, in order to enforce their demands for the absolute independence of the country from Turkish dominion, and from our message of this morning, it would appear they proclaimed their independence. But the European Powers have interfered, and the various representatives of those Powers have addressed the Porte, demanding that the holder of a license must be ready to suffer still more; but they may not unreasonably ask how the ruin of their commerce can contribute to the unity of the Empire, and beg that they may not be called upon to make such a sacrifice for an exploded mercantile theory.

THE following is the report of Sydney Infirmary for the week ended 15th May, 1880.—Admitted, 37 males, 10 females; total, 47. Discharged, 27 males, 23 females; total, 50. Died, 7 males, 1 female; total, 8. Remaining, 181 males, 62 females; total, 243.

TAX following is a return of copper received at Redfern station for week ending 8th May.—From Orange, 500 cahes 4177 ingots (47 tons 10 cwt. 2 qrs.); from Brown's Sliding, 698 ingots (5 tons 14 cwt.); total, 53 tons 4 cwt. 2 qrs.

Mr. (Wagga) Advertiser have been shown some petrified wood which it is said, has been found at a depth of fifty feet below the mud level of the river. A piece of white wood is just like a bar of stone, though a piece of a calcined branch is perfectly submerged for many thousands of years.

It may be remembered that the sum of £20,000 was voted on the Estimates for the year 1880 to be paid as subsidies to agricultural societies, *pro rata* to the people of Melbourne than was at first anticipated. At the beginning of the week, so short was the supply of coal that, but for the timely arrival of the s.s. *Cheriot* with 1200 tons, it is possible that Melbourne would have been without gas. The supply for ordinary requirements is very short, and the coal importers have been obliged to suspend their contracts, in accordance with a clause inserted in their contract engagements, giving them that power in the event of striking place at two or more collieries at Newcastle. The result of this action has been to greatly hamper many local industries requiring large supplies of fuel. The rolling mills, the potteries at Brunswick, and several manufactures have been obliged to suspend operations for the present; and, until the arrival of the *Cheriot*, so short was the supply that it was anticipated that some of the intercolliery steamships would be unable to continue their trade for want of fuel. The imports of coal into Melbourne alone average about 24,000 tons per month; and, as the miners now at work cannot supply anything like this quantity, there will be a very short supply until the strike is over. The strike is confined to the associated miners, from which the gas-coal is obtained.

THE strike among the colliers at Newcastle (observes the *Argus* of Thursday) is a more serious matter to the people of Melbourne than was at first anticipated.

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THE immigrants by the Clyde, which arrived here on Thursday night, appear healthy and desirous colonists. Almost all were sent for by their friends—a fact which, in face of the often repeated affirmation from certain classes of the community, that the colony is overcrowded, is worthy of note. There were 390 souls in all of the 1200 who came, and a very large proportion were married couples and eight. The single men left the vessel on Monday and Saturday to join their friends. Those who remained on board proceeded to the hiring room at the Glasgow steamer yesterday, when some of the single labourers obtained £4 1s. a year with board and lodgings, which is considered a very satisfactory rate, compared with those previously obtaining. Most of the single girls have sought the companionship of friends or relatives who invited them to the colony. A small contingent remained at the depot, and will be available for the plaintiff with damages £195 17s. 6d.

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Mr. (Wagga) Advertiser have been shown some petrified wood which it is said, has been found at a depth of fifty feet below the mud level of the river. A piece of white wood is just like a bar of stone, though a piece of a calcined branch is perfectly submerged for many thousands of years.

It may be remembered that the sum of £20,000 was voted on the Estimates for the year 1880 to be paid as subsidies to agricultural societies, *pro rata* to the people of Melbourne than was at first anticipated.

At the beginning of the week, so short was the supply of coal that, but for the timely arrival of the s.s. *Cheriot* with 1200 tons, it is possible that Melbourne would have been without gas.

The supply for ordinary requirements is very short, and the coal importers have been obliged to suspend their contracts, in accordance with a clause inserted in their contract engagements, giving them that power in the event of striking place at two or more collieries at Newcastle.

The result of this action has been to greatly hamper many local industries requiring large supplies of fuel.

The rolling mills, the potteries at Brunswick, and several manufactures have been obliged to suspend operations for the present; and, until the arrival of the *Cheriot*, so short was the supply that it was anticipated that some of the intercolliery steamships would be unable to continue their trade for want of fuel.

The imports of coal into Melbourne alone average about 24,000 tons per month; and, as the miners now at work cannot supply anything like this quantity, there will be a very short supply until the strike is over. The strike is confined to the associated miners, from which the gas-coal is obtained.

THE immigrants by the Clyde, which arrived here on Thursday night, appear healthy and desirous colonists. Almost all were sent for by their friends—a fact which, in face of the often repeated affirmation from certain classes of the community, that the colony is overcrowded, is worthy of note. There were 390 souls in all of the 1200 who came, and a very large proportion were married couples and eight. The single men left the vessel on Monday and Saturday to join their friends. Those who remained on board proceeded to the hiring room at the Glasgow steamer yesterday, when some of the single labourers obtained £4 1s. a year with board and lodgings, which is considered a very satisfactory rate, compared with those previously obtaining. Most of the single girls have sought the companionship of friends or relatives who invited them to the colony. A small contingent remained at the depot, and will be available for the plaintiff with damages £195 17s. 6d.

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Auction Sales.

HORSES, VEHICLES, AND HARNESS.
GEORGE KISS will sell by auction, at the Bazaar, THIS DAY, at 11 o'clock, all horses specially advertised; and at 12 o'clock, all horses not specially advertised; and at 1 o'clock, all horses at the Bazaar daily, and at Campdenway auction.

Horse, Buggy, and Harness.

GEORGE KISS will receive instructions from the owner to sell by auction, at the Bazaar, Pitt-street, THIS DAY, Tuesday, at 11 o'clock. A small single-horse, broken pony, quiet, and very fast trotter, will drive with or without whisks; also a light single-seated buggy (new), and a good set of harness.

First-class Waggonette.

GEORGE KISS has received instructions from M. Moore, Esq., to sell by auction, at the Bazaar, Pitt-street, THIS DAY, Tuesday, at 12 o'clock. A very stylish waggonette, used only a few times, but in excellent condition, capable of carrying 12 persons inside comfortably, and a good set of harness.

On view at the Bazaar.

HARNESS HORSE.

GEORGE KISS has received instructions to sell by auction, at the Bazaar, THIS DAY, at 12 o'clock.

Horse, Spring-cart, and Harness.

GEORGE KISS has received instructions to sell by auction, at the Bazaar, Pitt-street, THIS DAY, at 12 o'clock.

Horse, Spring-cart (nearly new), and Harness.

GEORGE KISS has received instructions from Mr. Archer to sell by auction, at the Bazaar, Pitt-street, THIS DAY, at 12 o'clock. Three fresh country horses, all broken to saddle and harness.

GEORGE KISS has received instructions from V. Cooper, Esq., to sell by auction, at the Bazaar, Pitt-street, THIS DAY, at 12 o'clock.

A fine pair of bay geldings, thoroughbred, broken to saddle, single and double, and a good set of harness.

One by King Victor, very quiet and strong.

A well-known buggy Horse.

GEORGE KISS has received instructions from George Cheek, Esq., to sell by auction, at the Bazaar, THIS DAY, at 12 o'clock.

A bay gelding, broken to saddle, and single and double harness, a very fine and fast.

On the Rest Brougham Horse in the City.

GEORGE KISS has received instructions from Mr. E. Johnston to sell by auction, at the Bazaar, Pitt-street, THIS DAY, at 12 o'clock.

A white gelding, 5 years old, 16 hands, by Catherston, thoroughly broken, strong, and quiet.

It is rarely indeed such a horse as the above is seen in this market.

Four Fresh Country Horses.

GEORGE KISS has received instructions from Mr. George Johnston, Kiana, to sell by auction, at the Bazaar, THIS DAY, at 12 o'clock.

One heavy draught, by Skippers.

One light harness horse.

One chestnut mare, 4 years old, by Python, perfectly quiet and broken to saddle and harness.

A handsome Fair Bay Carriage Horse.

GEORGE KISS has received instructions from Dr. Tolson to sell by auction, at the Bazaar, Pitt-street, TO-MORROW, THIS DAY, at 12 o'clock.

A very handsome pair of bay carriage horses, 15-3, thoroughly broken, fine steppers, well matched, and good breeders.

These horses are being sold for no fault, and cannot be too highly spoken of.

SCOTTISH HORSES.

GEORGE KISS has received instructions from Patrick Brown, Esq., Moruya, to sell by auction, at the Bazaar, Pitt-street, THIS DAY, at 12 o'clock.

A splendid single-bred, with break, horse, and a saddle horse.

One heavy draught, by Skippers.

One light harness horse.

One chestnut mare, 4 years old, by Python, perfectly quiet and broken to saddle and harness.

One by King Victor, very quiet and strong.

A well-known buggy Horse.

GEORGE KISS has received instructions from G. Wood, Esq., of Illawarra, to sell by auction, THIS DAY, at 12 o'clock.

A splendid single-bred, with break, horse, and a saddle horse.

One heavy draught, by Skippers.

One light harness horse.

One chestnut mare, 4 years old, by Python, perfectly quiet and broken to saddle and harness.

One by King Victor, very quiet and strong.

A well-known buggy Horse.

GEORGE KISS has received instructions from W. W. T. Palmer, to sell by auction, at the Bazaar, Castlereagh-street, THIS DAY, at 12 o'clock.

A Melbourne-built waggonette, in capital order.

Horse, Dogcart, and Harness.

GEORGE KISS has received instructions from W. W. T. Palmer, to sell by auction, at the Bazaar, Castlereagh-street, THIS DAY, at 12 o'clock.

A Melbourne-built waggonette, in capital order.

Horse, Dogcart, and Harness.

GEORGE KISS has received instructions to sell by auction, at the Bazaar, Castlereagh-street, THIS DAY, at 12 o'clock.

A style horse, dogcart, and harness.

The deposit is in ready now, and the horse is fast stepper.

Grand Gentleman's Charger.

GEORGE KISS has received instructions from Colonel Wilson to sell by auction, at the Bazaar, Castlereagh-street, THIS DAY, at 12 o'clock.

A grand up-standing gentleman's horse.

This horse will be sold to the highest bidder, as Colonel Wilson has no further use for it.

Thoroughbred Arab Horse.

GEORGE KISS has received instructions from J. A. T. a. to sell by auction, at the Bazaar, Castlereagh-street, THIS DAY, at 12 o'clock.

A chestnut mare, Young Amer, by Amer (imported), dam Septimus, in foal at full size.

Horse, Cab, and Harness.

GEORGE KISS has received instructions to sell by auction, at the Bazaar, Castlereagh-street, THIS DAY, at 12 o'clock.

A Horned mare, in capital order, with horse and harness.

This turned out to be sold to the highest bidder, as the owner is reducing the price.

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